

**Board of Selectmen Meeting - Tuesday, June 9, 2015. 7:08 p.m.**  
116 Main Road, Tyringham

Present-- Christopher Johnson, Gerard Miller and Matthew Puntin.  
Others present - Molly Curtin-Schaefer & (see attached list)

Mail was read, Treasury warrants were approved, previous minutes were approved.

**BERKSHIRE COUNTY RETIREMENT:**

Sheila LaBarbera, Executive Director, explained any employee working 20 hours or more and earns more than \$5,000.00 is eligible to join Berkshire County Retirement. Less than 20 hours is "OBRA" or deferred compensation. Elected officials need to earn \$5,000.00 or more per year to join the system. An elected official is considered a full time employee under the law in chapter 32 regardless of the hours worked. A discussion ensued regarding the current tax collector not being informed that she was County Retirement eligible when she was elected. It was discussed who is responsible to notify elected officials of this benefit. Ms. LaBarbera stated the Retirement Office has no idea who is elected and what their salary would be. Gerard stated this should be part of the "proposed new employee hand book". It was further discussed that employees and officials are not covered by Social Security. Ms. LaBarbera stated the Town should be getting Form SSA-1945 statement forms signed by anyone who is employed after January 1, 2005. Regarding the retirement benefits for an employee and or official, Ms. LaBarbera stated that person usually obtains retirement benefits with the Town where they obtain their health insurance benefits.

Berkshire County Retirement fund is 83% funded and in the near future the Town should see the annual contribution to the "unfunded" debt of the system drop off. Ms. LaBarbera stated that anyone is welcome and encouraged to stop in the office and discuss their own retirement benefits at anytime. She stated the office will again hold seminars in different Towns to pass along this type of information to employees.

**ASSESSORS:** The vacancy for this office was discussed. Gerard Miller made a motion that Norman Beamon be appointed to the Board of Assessors. For lack of a second, motion failed. Mike Curtin stated Everett Fennelly contacted the Board of Assessors as he is interested, qualified and certified to fill the Assessors vacant position. Both Mike Curtin and Marion Clark would like to have Mr. Fennelly appointed to the Board of Assessors to fill the unexpired term of Mr. Peter Curtin. Both Christopher Johnson and Matthew Puntin stated they were not ready to appoint anyone this evening and would hold off until next meeting.

**REFUNDS:** A Real Estate exemption was submitted and put on the 5/23/15 warrant payable to Peter Curtin, Jr. - Gerard Miller made a motion to refund the Estate of Peter Curtin, Sr. this was voted with no opposition.

Diane Fennelly applied for and received a Real Estate Elderly exemption. The refund paperwork from the Collector was payable to Mark Curtin as he purchased the residence and paid the Real Estate tax. Michael Curtin stated Twin Maple Trust, Dianne Fennelly was the owner of record Jan. 1, 2014. July 1<sup>st</sup> 2014 is first day of FY15 and July 1, 2014 Dianne's legal residence was 119 Main Road. Dianne filed for an elderly exemption in 2014 for 2015 this was granted. Mark Curtin purchased said property in November 2014, the elderly exemption-

remains with the property for 1 fiscal year regardless of who becomes owner. He stated the Selectmen cannot stop a payment of a refund or abatement on a tax bill. The Selectmen would like more information from Peggy DeSantis. Gerard Miller has an email from Jeremia Pollard, Town Counsel regarding this matter and he will forward the email to the Town Office.

**HOUSEHOLD HAZARDOUS WASTE:**

The Household Hazardous Waste agreement between CET and the Town was approved and signed for the next fiscal year.

**ELEVATOR REPAIR:** Eagle Elevator Company submitted a quote of \$3,850.00 to make the necessary repairs to our elevator in order to pass State Inspection. The State of Massachusetts will retest our elevator and issue a "Certificate for the use of elevator" once it is repaired.

**SCHOOL:** The Lee School Committee approved the following tuition rate for the 2015-2016 school year- \$6,422.68 per student. This is a 1.40 % increase.

**CONSERVATION COMMISSION:** Noah Choquette submitted a letter of resignation from his position on the Conservation Commission effective June 30, 2015.

**HIGHWAY DEPARTMENT:**

Cooper Creek Road was discussed. A list of road improvements was devised after some revision. Noah Choquette submitted the document for the Selectmen to review. Mr. Peter Shaffer will discuss with the Cooper Creek Road Association. This work shall be completed by September 1, 2015. (see attached). Gerard Miller made a motion to accept the attached document for Cooper Creek Road, Christopher Johnson seconded, no opposition.

**GOOSE POND ROAD:** The Culvert near Craig DeSantis's was discussed. Noah will develop 2-3 plans with cost estimates. Once the costs are estimated the Selectmen will decide how to proceed.

**CHURCH ROAD:** This road is ready to be re-paved.

**MONTEREY ROAD:** New guardrails were installed on Monterey Road.

**Line painting** - Main Road, Goose Pond and Monterey Road will be painted. We will also do some crack sealing.

**HIGHWAY DEPARTMENT:** We will develop and post a laborer position. We will post this job opening on the Town web site, Post Office and the Goose Pond bulletin board.

**LOADER:**

The Komatsu loader cost is \$149,500.00. The highway department has tested several loaders and decided on the Komatsu loader. \$30,000.00 was voted at the Town Meeting and the balance will come from Chapter 90. Christopher Johnson made a motion to purchase the Komatsu loader and Matthew Puntin seconded, no opposition.

**RE-ORGANIZATION OF THE SELECT BOARD:**

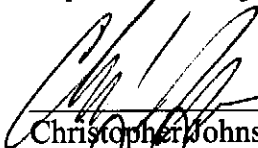
Christopher Johnson made a motion to appoint Gerard Miller as Chairman, Christopher Johnson as Clerk, and Matthew Puntin as member, Gerard Miller seconded, no opposition.


**JERUSALEM ROAD ENGINEERING:**

A discussion ensued regarding the engineering of the Jerusalem Road bridge. Matt Puntin would like to see the list of engineers from the State. Molly to find the list.

**FIBER:** Christopher Johnson stated the Town of Alford is spending \$400,000.00 to string the Town with fiber. The Company that they are hiring is called Matrix. This is a much cheaper option than the figures that have been circulating in recent month. The MBI is hosting an informational meeting in Tyringham very soon. Molly to discuss a date that will work best for the Board and community.

Adjourned 9:38 pm.

  
\_\_\_\_\_  
Christopher Johnson, Chairman

  
\_\_\_\_\_  
Gerard Miller, Clerk

  
\_\_\_\_\_  
Matthew Puntin, Member

**BOARD OF SELECTMEN / BOARD OF HEALTH**

Date: June 9, 2015

TIME - \_\_\_\_\_ NAME- PETER SHAFER

\_\_\_\_\_ Michael Curtin

\_\_\_\_\_ James J. Curtin

\_\_\_\_\_ Robert J. Donnelly

\_\_\_\_\_ Norman Bean

\_\_\_\_\_ Leslie Beebe

\_\_\_\_\_ Sheila Labarbera / BERK CTY RETIREMENT

\_\_\_\_\_ Norm Bean

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# Town of Tyringham



116 Main Road • P.O.Box 442 Tyringham, MA 01264  
Ph.(413) 243-1749 Fax.(413) 243-4942 [www.tyringham-ma.gov](http://www.tyringham-ma.gov)

## Agreement between Tyringham Board of Selectmen and Cooper Creek Road Association

June 9, 2015

The residents / landowners of Cooper Creek Road, herein referred to as The Cooper Creek Road Association will work to improve the roads in order to have the town of Tyringham plow and sand these roads with approval and appropriation from Town Meeting.

The Cooper Creek Road Association will be responsible for the following :

1. The road will be a smooth surface with no ruts.
2. Only preapproved stone and gravel will be used for road improvement.
3. All ditches and culverts will be cleaned.
4. Road will be kept clear of any brush and debris 5 feet from the edge of both sides of road, to the satisfaction of the Board of Selectmen.
5. Limbs hanging over the road that could damage Town Trucks will be removed.
6. Vehicles will not be parked on the edge of the road or in the turnaround from October 1<sup>st</sup> thru May 15<sup>th</sup>.
7. The following work to be completed prior to September 1, 2015:
  - Any private road signs should be removed
  - Catch basin in turnaround – new lid and fill hole
  - Widen turnaround and put up “No Parking” signs
  - Brush and overhead branches removed
  - remove or grind stump – tennis court
  - remove or grind stump – between 43 and tennis court
  - remove or grind stumps – between 41 and 39 (2)
  - remove or grind stumps – between 31 and 29 (2)
  - remove or grind stump between 29 and 27
  - markers on road cross culverts
  - rocks moved back to trees – 23
  - marker on big stone – 9
  - run outs maintained – find culvert first hill
8. The Town of Tyringham is not responsible for any damage to the road or surroundings.
9. Contact persons will be provided in case there are any issues that need attention. Contacts should be year round residents of Cooper Creek Road with the authority to have repairs made to the road at any time.

This work shall be completed by September 1, 2015 and shall be acceptable to the Tyringham Board of Selectmen and the Highway Superintendent.

# Town of Tyringham



116 Main Road • P.O.Box 442 Tyringham, MA 01264

Ph.(413) 243-1749 Fax.(413) 243-4942 [www.tyringham-ma.gov](http://www.tyringham-ma.gov)

If the above conditions are not met, or the road deteriorates in the winter, The Cooper Creek Association understands that the town reserves the right not to plow and sand the roads until all conditions are met.

The Town agrees to plow and sand Cooper Creek Road with the same frequency as other town gravel roads.

This agreement is to be reviewed annually.

Suggested future improvements:

- Oak tree / Pole in front of 18
- Guardrails on big culvert
- Gravel on first Hill

Chairman, Board of Selectmen

6/10/2015  
Date

Road Superintendent

6-10-2015  
Date

\_\_\_\_\_  
President, Cooper Creek Road Association

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact

\_\_\_\_\_  
Date

\_\_\_\_\_  
Contact

\_\_\_\_\_  
Date